

11/10/05 THU 11:10 FAX 3212565100

Joseph E. Gortych

002

PTO/SB/01 (10-05)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

 Declaration Submitted With Initial Filing

OR

 Declaration Submitted after Initial Filing (surcharge (37 CFR 1.18 (e)) required)

Attorney Docket Number	OPT1-02US1
First Named Inventor	HALL
COMPLETE IF KNOWN	
Application Number	N/A
Filing Date	N/A
Art Unit	N/A
Examiner Name	N/A

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MULTI-PHASE CONTACT LENS

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 08/15/2004 as United States Application Number or PCT International
Application Number PCT/US2004/018093 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 385(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 385(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

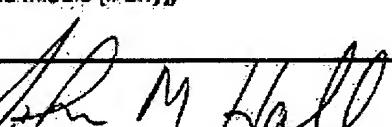
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PTO/SB/01 (10-05)

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DECLARATION -- Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	53590	OR	<input type="checkbox"/> Correspondence address below
Name					
Address					
City		State		ZIP	
Country		Telephone		Email	
<p style="text-align: center;">WARNING:</p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p>					
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned Inventor			
Given Name (first and middle (if any)) JOHN M.			Family Name or Surname HALL		
Inventor's Signature 				Date 16 DEC 05	
Residence: City AMHERST	State NH	Country USA		Citizenship USA	
Mailing Address 103 CHRISTIAN HILL ROAD					
City AMHERST	State NH	Zip 03031		Country USA	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u>			supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.		

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Joseph E. Gortych

2004

PTO/SB/02A (05-04)
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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet

Page 3 of 3

Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned Inventor	
Given Name (first and middle (if any)) ROBERT E. Robert E.		Family Name or Surname FISCHER Fischer	
Inventor's Signature <i>Robert Fischer</i>		Date 12/15/05	
WESTLAKE VILLAGE Residence: City 6717 STONE MOUNTAIN LANE	CA State	USA Country	US Citizenship
Mailing Address			
WESTLAKE VILLAGE City	CA State	91632 Zip	USA Country
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned Inventor	
Given Name (first and middle (if any)) SIMON		Family Name or Surname PRINCE	
Inventor's Signature <i>S. Prince</i>		Date 12-15-05	
NEWBURY PARK Residence: City 143 TIMBER ROAD	CA State	USA Country	US Citizenship USA, K.C.
Mailing Address			
NEWBURY PARK City	CA State	91320 Zip	US Country
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned Inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Joseph E. Gortych

001

PTO/SB/21 (04-05)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	12/19/2005
Filing Date	12/19/2005
First Named Inventor	HALL
Title	MULTI-PHASE CONTACT LENS
Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	OP1-02U81

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

 Practitioners associated with the Customer Number:

53590 → 53590

OR

 Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

 The address associated with the above-mentioned Customer Number:

OR

 The address associated with Customer Number:

OR

 Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

 Applicant/inventor. Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature	Robert E. Fischer	Date	12/15/05
Name	ROBERT E. FISCHER	Telephone	800-378-9340
Title and Company	CEO, OPTICS 1, INC.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 *Total of ONE forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9100 and select option 2.

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IAP12 Rec'd PCT/PTO 19 DEC 2005

PTO/SB/09
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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: HALL, JOHN M. ; FISCHER, ROBERT E. ; PRINCE, SIMON

Application No./Patent No.: N/A Filed/Issue Date: _____

Entitled: **MULTI-PHASE CONTACT LENS**

OPTICS 1, INC., a CORPORATION
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

JOSEPH E. GORTYCH

941-378-2744

Printed or Typed Name

Telephone Number

ASSIGNEE'S AUTHORIZED REPRESENTATIVE

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DOCKET NO. OPT1-02US1**ASSIGNMENT OF RIGHTS, TITLE AND INTEREST IN INVENTION**

This is an assignment of the followings rights, title and interest: (check all that apply):

- United States of America rights, title and interest in the invention
 Foreign rights, title and interest in the invention
 United States Patent Application Serial No. _____
Filing date: 12/19/2005
Date(s) of execution: 12/16/05; 12/15/05; 12/15/05
 United States Provisional Patent Application Serial No. _____
Filing date: _____
 United States Patent No. _____
 International (PCT) Patent Application Serial No. _____

TITLE OF THE INVENTION:**MULTI-PHASE CONTACT LENS****INVENTORS (Assignors):**

NAME	ADDRESS
John M. HALL	103 Christian Hill Road, Amherst, NH 03031
Robert E. FISCHER	5717 Stone Mountain Lane, Westlake Village, CA 91632
Simon PRINCE	143 Timber Road, Newbury Park, CA 91320

ASSIGNEE

NAME	ADDRESS
Optics 1, Inc.	3050 Hillcrest Drive, Suite 100 Westlake Village, CA 91362

WHEREAS, I/WE, the above identified inventor(s), have invented certain new and useful improvements in the invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as the "Invention");

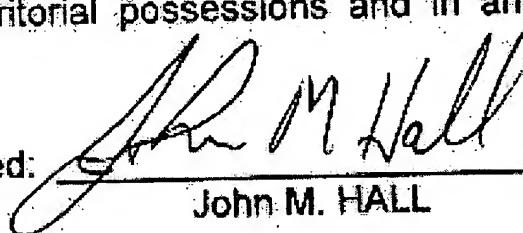
AND WHEREAS I/WE desire to assign my/our above-identified rights, title and interest in the Invention to the above-identified Assignee;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I/WE as the Assignor(s) identified above hereby assign, sell and transfer our above-identified rights, title and interest in the Invention, including any divisionals, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have been granted for the Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all proprietary rights, Convention rights, and other benefits accruing or to accrue to me/us with respect to filing and/or prosecuting applications for patents or securing patents in the United States and countries foreign thereto, unto the Assignee;

AND I/WE hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patents that may issue for the Invention to the Assignee of the whole right, title and interest thereto;

AND I/WE further agree to take any oaths and to sign and execute all necessary and lawful future documents in connection with filing and/or prosecuting applications for U.S. and foreign patents, divisionals, continuations and continuations-in-part of applications for patent and/or for obtaining any reissue or reexamination of any Letters Patent that may be granted for the Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense, and generally to do everything possible to aid the Assignee, its successors and assigns, as Assignee deems necessary to obtain and enforce proper protection for the Invention in the United States and its territorial possessions and in any and all foreign countries.

Date: 16 DEC 05

Signed: 
John M. HALL

Date: _____

Signed: _____
Robert E. FISCHER

Date: _____

Signed: _____
Simon PRINCE

DOCKET NO. OPT1-02US1

WHEREAS, I/WE, the above identified inventor(s), have invented certain new and useful improvements in the invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as the "Invention");

AND WHEREAS I/WE desire to assign my/our above-identified rights, title and interest in the Invention to the above-identified Assignee;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I/WE as the Assignor(s) identified above hereby assign, sell and transfer our above-identified rights, title and interest in the Invention, including any divisionals, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have been granted for the Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all proprietary rights, Convention rights, and other benefits accruing or to accrue to me/us with respect to filing and/or prosecuting applications for patents or securing patents in the United States and countries foreign thereto, unto the Assignee;

AND I/WE hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patents that may issue for the Invention to the Assignee of the whole right, title and interest thereto;

AND I/WE further agree to take any oaths and to sign and execute all necessary and lawful future documents in connection with filing and/or prosecuting applications for U.S. and foreign patents, divisionals, continuations and continuations-in-part of applications for patent and/or for obtaining any reissue or reexamination of any Letters Patent that may be granted for the Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense, and generally to do everything possible to aid the Assignee, its successors and assigns, as Assignee deems necessary to obtain and enforce proper protection for the Invention in the United States and its territorial possessions and in any and all foreign countries.

Date: _____

Signed: _____

John M. HALL

Date: 12/15/05Signed: Robert E. Fischer

Robert E. EISCHER

Date: 12/15/05Signed: S. Prince

Simon PRINCE